



Atty. Dkt. No. 071949-7002

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael Whittaker

Title: METHODS AND  
COMPOSITIONS FOR  
MEASURING BIOLOGICALLY  
ACTIVE NATRIURETIC  
PEPTIDES AND FOR  
IMPROVING THEIR  
THERAPEUTIC POTENTIAL

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Vanessa E. Agha</u> (Printed Name)</p> <p><u>Vanessa Agha</u> (Signature)</p> <p><u>May 24, 2007</u> (Date of Deposit)</p>
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Appl. No.: 10/645,874

Filing Date: 8/20/2003

Examiner: Lum, Leon Yun Bon

Art Unit: 1641

Confirmation 8658  
Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment - IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language document has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date 05/24/2007

By Barry Wilson

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Attorney for Applicant

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>	
Sheet	1	of	Application Number	10/645,874
			Filing Date	8/20/2003
			First Named Inventor	Michael Whittaker
			Art Unit	1641
			Examiner Name	Lum, Leon Yun Bon
			Attorney Docket Number	071949-7002

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	US.6,117,744	9/12/2000	Debold	
	A2	US 6,124,430	9/26/2000	Mischak et al.	

### UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Application Document	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number-Kind Code <sup>2</sup> (if known)			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	A3	WO 01/14885	03-01-2001	Biomedica Gesellschaft MBH		

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A4	Supplementary European Search Report attached to Communication dated August 9, 2006	
	A5	Allwords.com., Definition of "Appreciable"	
	A6	BIDZSERANOVA et al., "Structure-activity Studies on the Effects of Atrial Natriuretic Peptide, Brain Natriuretic Peptide and Their Analogs on Fear-motivated Learning Behavior in Rats", Neuropeptides, 23, 61-65, (1992)	
	A7	HUNTER et al., "Analysis of Peptides Derived from Pro Atrial Natriuretic Peptide That Circulate in Man an Increase in Heart Disease", Scand J. Clin Lab Invest 56, 205-216 (1998)	
	A8	NORMAN et al., "Degradation of Brain Natriuretic Peptide by Neutral Endopeptidase: Species Specific Sites of Proteolysis Determined by Mass Spectrometry", Biochemical & Biophysical Research Communications, Vol. 175, No. 1, (1991)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Examiner Name	Lum, Leon Yun Bon				
Attorney Docket Number	071949-7002				
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A9	VESLEY et al., "Negative Feedback of Atrial Natriuretic Peptides", Journal of Clinical Endocrinology and Metabolism, Vol. 78, No. 5, 1128-1134 (1994)	

Examiner Signature		Date Considered	
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